



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT : : : LEGISLATIVE BRANCH

NOTIFICATION

The 19th October, 2024

No. LGL.47/2024/11.— The following Act of the Assam Legislative Assembly which received the assent of the Governor of Assam on 19th October, 2024 is hereby published for general information.

ASSAM ACT NO. XXVIII OF 2024

(Received the assent of the Hon'ble Governor on 19th October, 2024)

**THE ASSAM AGRICULTURAL LAND (REGULATION OF
RECLASSIFICATION AND TRANSFER FOR
NON-AGRICULTURAL PURPOSE) (AMENDMENT) ACT, 2024**

AN ACT

further to amend the Assam Agricultural Land (Regulation of Reclassification and Transfer for Non-agricultural Purpose) Act, 2015.

Preamble

Whereas it is expedient further to amend the Assam Agricultural Land (Regulation of Reclassification and Transfer for Non-agricultural Purpose) Act, 2015 hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam Act
No. XXVI
of 2015**

It is hereby enacted in the Seventy-fifth year of the Republic of India, as follows: -

Short title, extent and commencement

1. (1) This Act may be called the Assam Agricultural Land (Regulation of Reclassification and Transfer for Non-agricultural Purpose) (Amendment) Act, 2024.
- (2) It shall have the like extent as in the principal Act.
- (3) It shall come into force such that as the State Government may by notification in the Official Gazette, appoint.

Amendment of title

2. In the principal Act, for the title, the following shall be substituted, namely:-
“The Assam Regulation of Reclassification and Reclassification cum Transfer of Lands Act, 2015.”

Amendment of the long title

3. In the principal Act, for the long title, the following shall be substituted, namely:-
“An Act to regulate the reclassification and the re-classification cum transfer of lands from one class to another class of usage in the state of Assam and for matters connected therewith or incidental thereto.”

Amendment of Preamble

4. In the principal Act, for the Preamble, the following shall be substituted, namely:-
“Whereas it is expedient to regulate the reclassification and transfer (hereinafter called reclassification – cum – transfer) of lands from one class to another class of usage for sustainable development of agriculture and all sectors of economy in the state of Assam and for matters connected therewith or incidental thereto.”;

Amendment of Short title

5. In the principal Act, for the Short title, the following shall be substituted, namely:-
“The Assam Regulation of Reclassification and Reclassification cum Transfer of Lands Act, 2015.”

Substitution of the word Deputy Commissioner

6. In the principal Act, for the word “Deputy Commissioner” wherever it occurs the word “District Commissioner” shall be substituted.

Amendment of
section 2

7. In the principal Act, in section 2,

- (i) for clause (e), the following shall be substituted, namely:-
“(e) “The District Commissioner” means the District Commissioner of the District under whose jurisdiction the land to be reclassified or reclassified - cum - transferred is situated”;
- (ii) for clause (k), the following shall be substituted, namely:-
“(k) “Local Authority” means and includes an Urban Development Authority or a Gram Panchayat in rural areas, Municipal Corporation or Municipal Board for urban areas or any other Authority, which the government may from time to time notify as Local Authority, under whose jurisdiction the intended land falls”;
- (iii) for clause (w), the following shall be substituted, namely:-
“(w) “Reclassification premium” means a ‘premium’ charged and realized by the state from the owner for change of land use”;
- (iv) for clause (y), the following shall be substituted, namely:-
“(y) “reclassification” means change of land use from one class to any other class and “reclassified land” means land for which permission is given for reclassified usage under this Act”;
- (v) for clause (z), the following shall be substituted, namely:-
“(z) “reclassification-cum-transfer” means reclassification of any land and subsequent transfer of the said land”;
- (vi) for clause (za), the following shall be substituted, namely:-
“(za) “transferee” means a person to whom a land has been transferred after reclassification”;

Insertion of
section 3

8. In the principal Act, in section 3, for the first paragraph, the following shall be substituted, namely:-

“Reclassification
of agricultural
land use to
non- agricultural
land use

(1) No person shall use or transfer agricultural land for intended non-agricultural purposes without reclassification and reclassification-cum-transfer of the said land:

Provided that the classes of non-agricultural land if cease to be used, for the purpose for which it had been reclassified, the landowner may reclassify or reclassify-cum-transfer the said plot of land to agricultural land or to any other class of non-agricultural land.

(2) No agricultural land and reclassified non-agricultural land shall be reclassified and reclassified-cum-transfer without obtaining permission in the manner as follows, namely:-”

Amendment of
section 4

9. In the principal Act, in section 4, for sub-section (1), the following shall be substituted namely:-

“(1) Such land which is recorded as agricultural land but has already become unfit for agricultural purposes or where there has been no agricultural activity for at least ten years preceding the date of application for permission, shall only be reclassified or reclassified-cum-transferred to non-agricultural land with prior approval of the District Commissioner and such reclassified non-agricultural land, if becomes unfit for the purpose for which it was reclassified, shall further be reclassified or reclassified-cum-transfer to agricultural land or other classes of non-agricultural land, by the owner after payment of premium as notified by the Government from time to time subject to condition that intended land use is permissible as per the notified land use plan of jurisdictional local authority, with the prior approval of the District Commissioner.”

Amendment of
section 5

10. In the principal Act, in section 5,

- (i) for sub-section (1), the following shall be substituted, namely:-

“(1) Any owner of reclassified non-agricultural land who intends to reclassify and reclassify-cum-transfer his land for agricultural purpose as mentioned in the proviso of section 3 of the Act and any owner of non-agricultural land who intends to reclassify and reclassify-cum-transfer his land from one class of non-agricultural land to another class of non-agricultural land as specified in sub-section (1) of section 4 of the Act shall make an application with affidavit for permission to the District Commissioner under whose jurisdiction the land is situated, giving full details of his land and justification of the proposed reclassification or reclassification-cum-transfer as per proviso of section 3 and sub-section (1) of section 4 in such form and manner as may be prescribed.”

- (ii) for sub-section (8), the following shall be substituted namely:-

“(2) No person shall use agricultural land without reclassifying the same to non-agricultural use and no non-agricultural land shall be used without reclassifying the said land to agricultural use or any other class of non-agricultural use without payment of the fees for the reclassification and reclassification-cum-transfer as may be notified by the Government from time to time.”

Amendment of
section 16

11. In the principal Act, in section 16,
- (i) sub-clauses (a) and (h) shall be omitted.
 - (ii) for clause (d), the following shall be substituted, namely:—
“(d) lands under Tea cultivation in the state; except the lands allowed to be used for ancillary purposes permissible under the Assam Fixation of Ceiling on Land Holdings Act, 1956 as amended from time to time.”

**Assam
Act No. I
of 1957**

GEETANJALI DAS SAIKIA,
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